

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PATRICK S. McPHERRON : CIVIL ACTION  
v. :  
THOMAS HOGAN, et al. : NO. 12-589

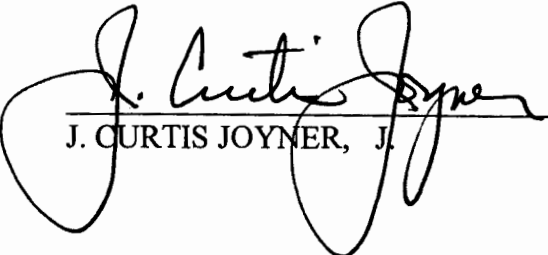
**ORDER**

AND NOW, this 12<sup>th</sup> day of March, 2014, upon careful and independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of Thomas J. Rueter, United States Magistrate Judge, it is hereby

**ORDERED**

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DENIED WITHOUT PREJUDICE**;
3. All motions pending in this habeas corpus case are **DENIED AS MOOT**;  
and
4. A certificate of appealability is not granted.

BY THE COURT:

  
J. CURTIS JOYNER, J.